

# AMENDING THE MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT OF 1972

MAY 12, 1978.—Ordered to be printed

Mr. TEAGUE, from the Committee on Science and Technology,  
submitted the following

## REPORT

[To accompany H.R. 10661, which on Jan. 31, 1978 was jointly referred to the  
Committees on Merchant Marine and Fisheries and Science and Technology]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science and Technology, to whom was referred the bill (H.R. 10661) to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize appropriations to carry out the provisions of such act for fiscal years 1979 and 1980, having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

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The amendment is as follows:

Strike out all after the enacting clause and insert the following:

That section 111 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1420) is amended—

- (1) by striking out "and" immediately after "fiscal year 1977," and
- (2) by adding immediately after "fiscal year 1978," the following: "not to exceed [\$4,800,000] \$6,800,000 for fiscal year 1979, and not to exceed [\$5,800,000] \$7,800,000 for fiscal year 1980,".

SEC. 2. (a) Title I of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1411-1421) is further amended by adding at the end thereof the following new section:

"SEC. 113. (a) The Administrator shall—

"(1) conduct research, investigations, experiments, training, demonstrations, surveys, and studies for the purpose of—

"(A) determining means of minimizing or ending, as soon as possible after the date of the enactment of this section, the dumping into ocean waters or waters described in section 101(b) of material which may unreasonably degrade or endanger human health, welfare, amenities, or the marine environment, ecological systems, or economic potentialities, and

"(B) developing disposal methods as alternatives to the dumping described in subparagraph (A); and

"(2) encourage, cooperate with, promote the coordination of, and render financial and other assistance to appropriate public authorities, agencies, and institutions (whether Federal, State, interstate, or local) and appropriate private agencies, institutions, and individuals in the conduct of research and other activities described in paragraph (1).

"(b) Nothing in this section shall be construed to affect in any way the December 31, 1981, termination date, established in section 4 of the Act of November 4, 1977 (Public Law 95-153), for the ocean dumping of sewage sludge."

(b) Title II of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1441-1444) is amended by striking out section 203.

SEC. [2] 3. Section 204 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1444) is amended—

(1) by striking out "and" immediately after "fiscal year 1977," and,

(2) by striking out "fiscal year 1978." and inserting in lieu thereof the following: "fiscal year 1978, not to exceed \$7,500,000 for fiscal year 1979, and not to exceed \$9,000,000 for fiscal year 1980."

SEC. 4. Section 302 of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1432) is amended—

(1) by striking out "or a specified portion thereof," and all that follows thereafter in subsection (b) and inserting in lieu thereof the following: "or any area, or any activity proposed under subsection (f) (1) to be regulated, within the designated sanctuary, is unacceptable to his State, in which case the designated sanctuary shall not include the area certified, nor shall any such activity so certified be regulated, until such time as the Governor withdraws his certification of unacceptability."; and

(2) by amending subsection (f) to read as follows:

"(f) (1) Before any marine sanctuary is designated under this section, the Secretary, after consulting with other interested Federal agencies and taking into account the views obtained during public hearings under subsection (c), shall prepare a list of those specific activities which must necessarily be regulated by the Secretary in order to carry out the purposes of the sanctuary and of this title. Such a list shall be a part of the designation of the marine sanctuary under section 302(a).

"(2) After any marine sanctuary has been designated under this section, the Secretary, after consulting with other interested Federal agencies, shall issue reasonable and necessary regulations to control, within such marine sanctuary, those specific activities contained in the list pursuant to paragraph (1) except that all permits, licenses, and other authorizations issued pursuant to any other authority shall remain valid unless such regulations otherwise provide."

SEC. [3] 5. Section 304 of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1434) is amended—

(1) by striking out "and" immediately after "fiscal year 1977," and

(2) by adding immediately after "fiscal year 1978" the following: ", not to exceed \$2,000,000 for fiscal year 1979, and not to exceed \$3,000,000 for fiscal year 1980".

Amend the title so as to read: "A bill to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize appropriations to carry out the provisions of such Act for fiscal years 1979 and 1980, and for other purposes."

## I. PURPOSE OF THE BILL

The purpose of this legislation is to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize appropriations to carry out the provisions of such act for fiscal years 1979 and 1980 and to transfer certain activities related to research into alternative methods of disposal which are currently authorized to the Secretary of Commerce and which are to be transferred to the Environmental Protection Agency.

## II. COMMITTEE ACTIONS

H.R. 10661 was introduced on January 31, 1978 by Mr. Murphy of New York and 21 cosponsors. The bill was jointly referred to the Committees on Science and Technology and Merchant Marine and Fisheries.

Following referral of H.R. 10661 to the Committee on Science and Technology on February 3, the bill was further referred to the Subcommittee on the Environment and the Atmosphere. On April 20, 1978, the subcommittee held hearings receiving testimony from administration witnesses from the Environmental Protection Agency and the National Oceanic and Atmospheric Administration. Following that hearing, the subcommittee unanimously ordered an amended bill reported to the Committee on Science and Technology.

On May 3, 1978, the Committee on Science and Technology met to consider H.R. 10661. The full committee adopted the subcommittee recommendation with one amendment. Mr. Wydler offered an amendment to add \$500,000 to the authorization to be contained in title II of the act for R. & D. funding in the Bight of New York. It is the intent of the committee that this \$500,000 be pass-through funding from NOAA to the EPA Region II for specific research to be applied to urban water runoff problems as they affect the Bight of New York.

A quorum being present the bill was ordered reported, as amended, by the Committee on Science and Technology by a rollcall vote of 23 ayes and no nays.

## III. BACKGROUND AND NEED FOR THE LEGISLATION

*Introduction.*—Since the dawn of recorded history, man has maintained a close relationship with the oceans. Early civilizations developed and prospered because of their ability to capitalize on the economic and transportation benefits derived from the seas.

For thousands of years, the oceans have been the commercial highways of civilization. Over the centuries, man's impact on the marine environment was minimal, until the dawn of the age of industrialization. With virtually total disregard for the consequences, we have ignored the routine discharge of organic and inorganic substances into our oceans. For more than 200 years, man polluted the streams and rivers, poisoned the lakes, and seemed well on the way to upsetting the fragile balance of ocean ecosystems. Finally, our sense of outrage over this environmental degradation brought a series of laws which have reversed the trend and allowed the seas to recover.

### *The Ocean Dumping Act*

Prior to April 23, 1973, waste dumping in U.S. coastal waters was not regulated. Since that time a Federal permit has been required under provisions of the Marine Protection, Research, and Sanctuaries Act, better known as the Ocean Dumping Act. Much of the research carried on by the EPA in support of title I of the act is done with funding obtained under other legislation. NOAA has done significant research under title II of the act to determine the effects of past and current introduction of human-generated wastes into the marine ecosystem. However, since enactment of the legislation NOAA has taken the position that research authorized under section 203 of the act regarding ocean dumping alternatives is not appropriate to the NOAA mission and has never requested funding under that section.

### *Scope of the Problem*

It is generally conceded that we are on the verge of a major expansion in utilization of the sea. Many experts believe that man will have to sharply increase his dependence on fish as a protein source. Many U.S. fisheries are already depleted as the result of years of overfishing. The extension to a 200-mile fishing limit will make fisheries management easier, but research continues to be required to determine the effects of various pollutants in the marine environment.

The near future will also be a period of major expansion of man's utilization of natural resources beneath the seas. It appears to be only a matter of time until vigorous exploitation of oil and gas resources will commence on the eastern Outer Continental Shelf (OCS). If there is any realistic hope of long-term maintenance of the environmental integrity along the OCS baseline environmental studies must be conducted before exploitation commences.

### *Achievements to Date*

The Marine Protection, Research, and Sanctuaries Act of 1972 became effective on April 23, 1973. Since that time all ocean dumping of waste materials, with the exception of dredge spoil, has been regulated under permits issued by the Environmental Protection Agency.

In the period since 1973 there has been a dramatic decrease in ocean dumping of industrial wastes and construction and demolition debris. The slight increase in dumped sewage sludge indicated in table I may be attributed to improved treatment which produces more sludge. The Congress has mandated December 31, 1981, as the deadline for discontinuance of all ocean disposal of sewage sludge.

TABLE I.—OCEAN DUMPING 1973-76

(In approximate tons)

Waste type	1973	1974	1975	1976
Industrial waste.....	5,050,800	4,592,000	3,446,000	2,733,500
Sewage sludge.....	4,898,900	5,010,000	5,039,600	5,270,000
Construction and demolition debris.....	973,700	770,000	395,000	314,600
Solid waste.....	240	200	0	0
Explosives.....	0	0	0	0
Total.....	10,923,640	10,372,600	8,881,500	8,319,000

Source: "Ocean Dumping in the United States, 1977," U.S.E.P.A.

A significant reduction in ocean dumping cannot be achieved until environmentally sound replacement methods of disposal are identified and adopted. Among methods currently under study are incineration, pyrolysis, land disposal, waste recycling, and changes in industrial processes.

### *Future Goals*

There is no question that the elimination of all harmful ocean dumping is an attractive goal. The pursuit of alternative methods of waste disposal should be continued in furtherance of that goal. The continued existence of pollutants in the marine environment indicates that research in this area must be continued.

The general problem of pollution in the marine environment has numerous components, only one of which involves ocean dumping. Previous research has indicated that ocean outfalls, discharges from offshore platforms, and land runoff from rivers and estuaries are all significant segments of the total problem. While most forms of pollution originating from these sources are regulated under the Federal Water Pollution Control Act Amendments of 1972 through the National Pollutant Discharge Elimination System, land runoff will continue to be a problem into the foreseeable future.

In years to come we must expect that increases in population and new industrial growth will fall most heavily in coastal areas, which historically always have grown more rapidly than inland areas. This growth will maintain pressures for ocean disposal either by dumping or by outfall. In addition, much greater quantities of effluents will find their way into the marine environment due to land runoff.

### *Recent Developments*

On March 3, 1978 EPA announced that ocean dumping of sewage sludge will be permitted to continue through 1981 at current dump sites. Included in that announcement was the decision not to move sewage sludge dumping to alternate sites located 60 and 106 miles offshore in the New York Bight.

In the current year the city of New York and neighboring communities will dump approximately 4 million wet tons of sewage sludge in the New York Bight. Philadelphia will dump about 750,000 wet tons of sewage sludge at a dump site located 40 miles off the Delaware-New Jersey coastline.

Although the EPA decision will eventually lead to a substantial reduction of the pollutant burden on the ocean, it is difficult at this time to fully assess the impacts. Until such time as all ocean dumping is ended the committee believes that a sufficient program of ocean monitoring must be continued to acquire environmental baseline data so that scientific assessments may eventually be made of both the damage caused by ocean dumping and the possible recovery rates of areas which have been subjected to dumping in the past.

### *Prior Authorizations, Appropriations, and Expenditures*

The following table shows the approximate amount of funds which have been authorized, appropriated, and spent under the act. The amounts are exclusive, however, of expenditures which indirectly apply to ocean dumping. In addition, some of the expenditures shown

on the table are higher than the appropriations due to funds reprogrammed from other areas.

#### AUTHORIZATIONS, APPROPRIATIONS, AND EXPENDITURES

(In thousands of dollars)

	1973	1974	1975	1976	1977	1978	Committee recommendation	
							1979	1980
<b>Title I, EPA regulatory efforts:</b>								
Authorization.....	\$3,600	\$5,500	\$5,500	\$5,300	\$4,800	\$4,800	\$6,800	\$7,800
Appropriation.....	290	1,276	1,329	1,313	1,318	1,323		
Expenditures.....	290	1,276	1,329	1,313	1,260	1,300		
<b>Title II, NOAA research efforts:</b>								
Authorization.....	0	6,000	6,000	6,000	5,600	6,500	7,500	9,000
Appropriation.....	0	300	300	300	1,070	1,870		
Expenditures.....	0	300	300	300	1,370	1,870		

#### IV. COMMITTEE RECOMMENDATIONS

1. The Marine Protection, Research, and Sanctuaries Act of 1972, commonly known as the Ocean Dumping Act, establishes a policy to prohibit or strictly limit the dumping of materials harmful to the marine environment. The act is organized into three parts:

A. Title I specifies how ocean dumping shall be regulated and directs the Environmental Protection Agency to establish a permitting program. In addition, title I gives the Army Corps of Engineers authority over dredged material dumping and authorizes the Coast Guard to provide surveillance over all ocean dumping activities. While three different agencies are mandated responsibilities under title I, only the EPA is authorized to be appropriated funds under the act.

The Committee on Science and Technology has determined that the research currently authorized by section 203 of the act is more appropriately conducted by the Environmental Protection Agency than by NOAA. Research on alternative disposal methods to ocean dumping is by the very definition to be carried out ashore. The EPA is the lead Government agency in research and development for pollutants in other than the marine environment. The committee believes that the vast resources of the EPA are far better suited to this alternative research effort and has thus adopted language concerning the transfer of this responsibility. The committee has also closely examined the authorization level requirement for EPA. The bill, when introduced, called for authorization of \$4.8 million for title I in fiscal year 1979, and an increase to \$5.8 million in fiscal year 1980. Because the committee is deeply concerned with the problem of ocean dumping and believes that sufficient funding authorization must be provided in order to assure that a vigorous research program be conducted into the area of alternative methods of disposal, the committee is adding \$2 million in each year for these activities.

B. Title II of the Act authorizes the Secretary of Commerce to carry out a program of monitoring and research in order to increase our understanding of the effects of dumping wastes into the ocean and the Great Lakes.

The bill, as introduced, called for an authorization of \$7 million for fiscal year 1979 and \$9 million for fiscal year 1980 for these activities. The Committee on Science and Technology adopted an amendment offered by Mr. Wydler to add \$500,000 to the fiscal year 1979 authorization in this area.

While there was no formal administration recommendations on appropriate levels of authorization under either title I or title II for the next 2 years, administration witnesses supported the committee recommended levels in the amended bill. The committee recommendations are based on observed upward trends in research spending and on the fact that both the Environmental Protection Agency and NOAA will be increasingly dependent on the Marine Protection, Research, and Sanctuaries Act for legislative authority for future ocean dumping research activities.

It is the intention of the committee that the \$500,000 added in the fiscal year 1979 authorization for activities under title II of the Marine Protection, Research, and Sanctuaries Act be used to fund a concentrated effort of wet-weather technology research and development. This funding is expected to provide a comprehensive evaluation of both combined sewer overflows and storm sewer discharges in the Hudson and Raritan Valleys. At present, large-scale problem assessments in these areas are being initiated by the Environmental Protection Agency. Simultaneously, combined sewer remedial decisions involving large sums of money are being made by the same agency of Government. A special research and development effort is expected to produce synergistic results and to act as the connecting link between problem assessments and remedial sewer decisions.

The storm and combined sewer program located at Edison, R.I., is in a unique position to give meaningful assistance to the remedial sewer projects. A recently completed project in Elizabeth, N.J., and another in New York City have indicated that the most profitable technology development and application for the abatement of urban wastewater runoff pollution would improve the efficiency of combined sewer collection and transport systems. There are a number of improved devices, flow-control methods, and collection system design improvements which could significantly reduce the number of overflow events.

The committee directs that the \$500,000 added by the full committee be used by the National Oceanic and Atmospheric Administration to provide passthrough funding to the Environmental Protection Agency Region II office to conduct this research.

Many State and local governmental authorities are faced with pressing environmental problems. Typically, however, they lack the specialized scientific expertise to effectively address those problems. Federal agencies such as the Environmental Protection Agency have considerable scientific talent and resources available but must give first priority to much broader problems of national significance. The committee would like to see means developed by which this Federal expertise could be applied to a solution of problems facing municipalities, States or local governmental agencies. One means envisioned by the committee would be the encouragement of State and local input to Federal research planning to assure recognition of these problems. Another means might be some form of cost-sharing between local authorities and the Federal Government. For example, a State govern-

ment might be able to share the cost of a research grant to a university to study the possible alternatives to ocean sludge disposal. Although many details would have to be worked out, the committee would like to see this and other mechanisms explored as a means of helping State and local governments cope with environmental problems, that are beyond their capabilities.

C. Title III of the act authorizes the Secretary of Commerce to establish a system of marine sanctuaries in accordance with provisions contained in the act. The bill, as introduced, contained an authorization of \$2 million for fiscal year 1979 and \$3 million for fiscal year 1980. These activities were not addressed by the Committee on Science and Technology.

## V. SUMMARY OF THE AMENDED BILL

The amendment in the nature of a substitute which was adopted by the committee is summarized as follows:

Section 1 amends the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize appropriations to carry out provisions of such act for fiscal years 1979 and 1980. Section 1 authorizes \$6,800,000 for fiscal year 1979 and \$7,800,000 for fiscal year 1980 for the Environmental Protection Agency to operate the ocean dumping permit program and for regulatory activities carried out by the Environmental Protection Agency.

Section 2 transfers from the National Oceanic and Atmospheric Administration to the Environmental Protection Agency the authorization to conduct research into alternative methods of disposal to replace ocean dumping.

Section 3 authorizes the appropriation of funds for fiscal year 1978 and 1979 to the National Oceanic and Atmospheric Administration to conduct ocean dumping research under the Marine Protection, Research, and Sanctuaries Act of 1972. Funding is authorized at the level of \$7,500,000 for fiscal year 1979 and \$9,000,000 for fiscal year 1980. The committee has specified that \$500,000 provided in fiscal 1979 authorization be passthrough funding to the Environmental Protection Agency Region II office for specific research on the problems of urban wastewater runoff as they impact on the New York Bight area.

Sections 4 and 5 pertain to the marine sanctuaries program and were not addressed by the Committee on Science and Technology.

## VI. COST OF LEGISLATION

Pursuant to clause 7 of rule XIII of the Rules of the House of Representatives, the committee estimates that the cost of the legislation will be as follows: Fiscal year 1979, \$16.3 million; fiscal year 1980 total, \$19.8 million.

## VII. OVERSIGHT FINDINGS AND RECOMMENDATIONS

No oversight findings and recommendations pursuant to clause 2(1) (3) (A), rule XI, by the Committee on Science and Technology under

the authority of rule X, clause 2(b) (1) and clause 3(f), of the Rules of the House of Representatives have been prepared since the convening of the 95th Congress.

## VIII. CONGRESSIONAL BUDGET ACT INFORMATION

This bill provides for new authorization rather than new budget authority and consequently the provisions of section 308(a) of the Congressional Budget Act of 1974 are not applicable. No authorization for state or local financial assistance is included in the bill.

## IX. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

CONGRESSIONAL BUDGET OFFICE,  
U.S. CONGRESS,  
Washington, D.C., May 10, 1978.

HON. OLIN E. TEAGUE,

*Chairman, Committee on Science and Technology, House of Representatives, Rayburn House Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached revised cost estimate for H.R. 10661, a bill to amend the Marine Protection, Research and Sanctuaries Act of 1972 to authorize appropriations to carry out the provisions of such act for fiscal years 1979 and 1980.

Should the Committee so desire, we would be pleased to provide further details on the attached cost estimate.

Sincerely,

ROBERT A. LEVINE,  
*Deputy Director.*

## CONGRESSIONAL BUDGET OFFICE—REVISED COST ESTIMATE

May 10, 1978.

1. Bill number: H.R. 10661.
2. Bill title: A bill to amend the Marine Protection, Research and Sanctuaries Act of 1972 to authorize appropriations to carry out the provisions of such act for fiscal years 1979 and 1980.
3. Bill status: As ordered reported by the House Committee on Science and Technology, April 25, 1978.
4. Bill purpose: The bill authorizes appropriations for the National Oceanic and Atmospheric Administration (NOAA) for fiscal years 1979 and 1980. There are specific authorizations in three areas: enforcement and surveillance of ocean dumping procedures, research and monitoring with respect to ocean dumping, and development and operation of marine sanctuaries. This is an authorization bill requiring subsequent appropriation action.

## 5. Cost estimate:

Authorization level:	Millions
Fiscal year 1979	\$14.3
Fiscal year 1980	17.8
Fiscal year 1981	
Fiscal year 1982	
Fiscal year 1983	
Estimated level:	
Fiscal year 1979	10.6
Fiscal year 1980	17.3
Fiscal year 1981	4.0
Fiscal year 1982	0.2
Fiscal year 1983	

The costs of this bill fall within budget function 300.

6. Basis of estimate: The authorization levels are those stated in the bill, and the full amounts authorized are assumed to be appropriated. The bill authorizes \$4,800,000 and \$5,800,000 for fiscal years 1979 and 1980, respectively for use by NOAA to carry out surveillance and enforcement activities with regard to ocean dumping activities. Based on information from NOAA, 25 percent of these funds are used for salaries and administrative costs, which are estimated to spend out at a rate of 90 percent in the first year, and 10 percent in the second year. The remaining 75 percent of these funds are used for one-year contractual agreements. Based on historical patterns, these are spent at a rate of 80 percent in the first year, and 20 percent in the second year.

Additionally, the bill authorizes \$7,500,000 for fiscal year 1979 and \$9,000,000 for fiscal year 1980 for NOAA's use in monitoring and in research activities in areas of ocean dumping. Based on consultation with NOAA's staff, it is assumed that 32 percent of these funds are used for salaries, and are spent at a rate of 90 percent in the first year and 10 percent in the second year. The remaining 68 percent are used for contractual efforts and are estimated to be spent at a rate of 80 percent the first year and 20 percent for the second year. The term of these contracts is one year.

The bill also authorizes \$2,000,000 for fiscal year 1979 and \$3,000,000 for fiscal year 1980 to be used by NOAA to maintain two current marine sanctuaries beginning in 1979. Since current funding is at substantially lower levels than those authorized in the bill, obligations are projected to be relatively low in fiscal year 1979 as the program expands. The sanctuaries costs involve one year contractual agreements and are spent at a rate of 80 percent the first year and 10 percent the second year.

7. Estimate comparison: None.

8. Previous CBO estimate: On May 2, 1978, CBO prepared a cost estimate for H.R. 100661 for the House Committee on Science and Technology. That estimate did not reflect an amendment charging the 1979 authorization for NOAA's monitoring and research activities from \$7,000,000 to \$7,500,000.

9. Estimate prepared by: Susan Cirillo and Steve Glamm.

10. Estimate approved by:

C. G. NUCKOLS  
(For James L. Blum.  
Assistant Director for Budget Analysis.)

## X. EFFECT OF LEGISLATION ON INFLATION

In accordance with rule XI, clause 2(1)(4) of the Rules of the House of Representatives, this legislation is assessed to have no adverse inflationary effect on prices and costs in the operation of the national economy.

Expenditures to be made pursuant to this act will be in support of the ongoing regulatory efforts of the Environmental Protection Agency in the ocean dumping permit program and for the administration of the marine sanctuaries program administered through the National Oceanic and Atmospheric Administration.

Further expenditures to be made pursuant to this act will be in support of basic and applied research conducted in government laboratories, in colleges, universities, and private industry under grants and contracts and by other governmental agencies through formal inter-agency agreements. Such activities are generally labor-intensive in scientific and technical fields whose manpower is not being fully utilized in current economic circumstances. Therefore, for the funds provided under this bill will not contribute to competitive pressures for manpower and accordingly will not contribute to inflation.

The research and development program supported under this act produces valid scientific information in the most cost-effective technological tools and control systems in furtherance of marine environmental protection. In the long run it is expected that savings could occur by providing data which will lead to lessened environmental pollution in the marine environment.

## XI. CHANGES IN EXISTING LAW MADE BY BILL

Section 111 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1420) is amended by striking out "and" immediately after "fiscal year 1977," and adding "*not to exceed \$6,800,000 for fiscal year 1979, and not to exceed \$7,800,000 for fiscal year 1980.*"

Title I of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1411-1421) is amended by adding at the end thereof the following new section:

*Sec. 113. (a) The Administrator shall—*

*"(1) conduct research, investigations, experiments, training, demonstrations, surveys, and studies for the purpose of—*

*"(A) determining means of minimizing or ending, as soon as possible after the date of the enactment of this section, the dumping into ocean waters or waters described in section 101(b) of material which may unreasonably degrade or endanger human health, welfare, amenities, or the marine environment, ecological systems, or economic potentialities, and*

*"(B) developing disposal methods as alternatives to the dumping described in subparagraph (A); and*

*"(2) encourage, cooperate with, promote the coordination of, and render financial and other assistance to appropriate public authorities, agencies, and institutions (whether Federal, State, interstate, or local) and appropriate private agencies, institutions, and individuals in the conduct of research and other activities described in paragraph (1)."*

*"(b) Nothing in this section shall be construed to affect in any way the December 31, 1981, termination date, established in section 4 of the Act of November 4, 1977 (Public Law 95-153), for the ocean dumping of sewage sludge."*

Title II of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1441-1444) is amended by striking out section 203.

Section 204 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1444) is amended by striking out "and" immediately after "fiscal year 1977," and by striking out "fiscal year 1978" and inserting in lieu thereof: *"fiscal year 1978, not to exceed \$7,500,000 for fiscal year 1979, and not to exceed \$9,000,000 for fiscal year 1980."*

Section 302 of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1432) is amended—

(1) by striking out *"or a specified portion thereof,"* and all that follows thereafter in subsection (b) and inserting in lieu thereof the following: *"or any area, or any activity proposed under subsection (f) (1) to be regulated, within the designated sanctuary, is unacceptable to his State, in which case the designated sanctuary shall not include the area certified, nor shall any such activity so certified be regulated, until such time as the Governor withdraws his certification of unacceptability;"*; and

(2) by amending subsection (f) to read as follows:

*"(f) (1) Before any marine sanctuary is designated under this section, the Secretary, after consulting with other interested Federal agencies and taking into account the views obtained during public hearings under subsection (c), shall prepare a list of those specific activities which must necessarily be regulated by the Secretary in order to carry out the purposes of the sanctuary and of this title. Such a list shall be a part of the designation of the marine sanctuary under section 302(a)."*

*"(2) After any marine sanctuary has been designated under this section, the Secretary, after consulting with other interested Federal agencies, shall issue reasonable and necessary regulations to control, within such marine sanctuary, those specific activities contained in the list pursuant to paragraph (1) except that all permits, licenses, and other authorizations issued pursuant to any other authority shall remain valid unless such regulations otherwise provide."*

SEC. [3.] 5. Section 304 of the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1434) is amended—

(1) by striking out “and” immediately after “fiscal year 1977,”; and

(2) by adding immediately after “fiscal year 1978” the following: “, *not to exceed \$2,000,000 for fiscal year 1979; and not to exceed \$3,000,000 for fiscal year 1980*”.

## XII. COMMITTEE RECOMMENDATION ON ENACTMENT

A quorum being present, the Committee on Science and Technology favorably reported the bill, H.R. 10661, by a roll call vote, (23 ayes and 0 nays), with an amendment and recommends its enactment.

